

REMARKS

Reconsideration of the subject application is respectfully solicited.

Claims 61 through 78 and 117 through 130 are pending, with Claims 61 and 117 through 124 being independent. Claims 67, 68, 71, 72, 77, 78, 120, 121, 123, 124, 125/(120,123), 126/(120, 121, 123, 124), 127/126/(120, 121, 123, 124), 128/(120, 121, 123, 124), 129/128/(120, 121, 123, 124), and 130/(120, 121, 123, 124) were withdrawn from consideration. Claim 116 has been cancelled without prejudice.

Claim 116 was rejected under 35 U.S.C. § 102 over US 5,418,639 (Yamazaki), which rejection is respectfully traversed and is submitted to have been mooted by the cancellation without prejudice of that claim.

Claims 61-66, 69, 70, 73-76, 117, 118, 119, 122, 125/(117,118,122), 126/(117, 118, 119, 122), 127/126/(117, 118, 119, 122), 128/(117, 118, 119, 122), 129/128/(117, 118, 119, 122), 130/(117, 118, 119, 122) were rejected under 35 U.S.C. § 112, 1st paragraph, as lacking written description on the grounds that the expression “the curvatures in a sub-scanning direction of two of the surfaces of said imaging lens vary continuously... and ***independently of the curvatures in the main scanning direction***” (emphasis in Official Action) is not supported. All rejections are respectfully traversed. Applicant respectfully submits that support may be found, for example, at p. 8, lines 9 and 27, which state that the lens shape in the sub scanning plane is *independent* of the lens shape in the main scanning plane. Applicant further respectfully directs the Examiner’s attention to, for example, the equations on p. 27, which show that the equation defining the radius of curvature in the sub scanning direction does *not* contain the radius of curvature in the

main scanning direction (this is different from, for example, Yamazaki, where in Equation (2), r_h (secondary scanning direction radius of curvature) is dependent upon R (primary scanning direction section radius of curvature) as discussed in Dr. Moore's Declaration filed April 2, 2003, paragraphs 20-22). In view of the foregoing, Applicant respectfully submits that the artisan would have thought that Applicant was in possession of the claimed invention, *in haec verba* support not being required. MPEP 2163.02, 2163.04. Therefore, written description under 35 U.S.C. § 112, 1st paragraph, is present.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

REQUEST FOR INTERVIEW

Applicant respectfully requested a personal interview with the Examiner by telephone on January 19, 2010, and received a message from the Examiner on January 21, 2010, that an interview would not be granted before consideration of this response. Accordingly, if any questions remain after consideration of this response, then Applicant respectfully requests that the Examiner contact Applicant's undersigned representative, Daniel S. Glueck, at (202) 530-1010 to schedule a personal interview.

FURTHER REMARKS

With respect to the Response to Arguments in the Official Action, Applicant respectfully traverses the same and wishes to reiterate the comments set forth in the September 2, 2008 Preliminary Amendment (see, e.g., pp. 9-10 which discuss prosecution history and the cited document's numerical embodiments, which points merit due consideration by the Official Action).

CONCLUSION

Applicant respectfully requests favorable reconsideration.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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